

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Jean GOBERT

Serial No. NEW

Filed October 7, 2003

: **Attn: APPLICATION BRANCH**

: Attorney Docket No. 2003-1412

ENANTIOMERS OF 1-[(4-CHLOROPHENYL)
PHENYLMETHYL]-4-[(4-METHYLPHENYL)
SULFONYL]PIPERAZINE

(Rule 1.53(b) Continuation of Serial No.
10/162,576, Filed June 6, 2002)

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicant requests consideration of [X] the references listed on attached form PTO-1449 and/or [] the additional information identified below in paragraph 3. A legible copy of each reference listed on the form PTO-1449 and each U.S. patent application listed below is enclosed, except a copy is not provided for each reference previously cited by or submitted to the Patent Office in prior grandparent application Serial No. 09/187,754.

1a. [X] This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

1b. This Information Disclosure Statement is submitted after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

- (1) the certification of paragraph 2 below is provided, **or**
- (2) the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. This Information Disclosure Statement is submitted: after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

the certification of paragraph 2 below is provided, and
the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified

- a. that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- b. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
 - a. a full or partial English language translation submitted herewith,
 - b. a foreign patent office search report (in the English language) submitted herewith,
 - c. the concise explanation contained in the specification of the present application at page ,
 - d. the concise explanation set forth in the attached English language abstract,
 - e. the concise explanation set forth below or on a separate sheet attached to the reference:
5. A foreign patent office search report citing one or more of the references is enclosed.

Respectfully submitted,

Jean GOBERT

By:



Michael R. Davis

Registration No. 25,134 *for*

John T. Miller

Registration No. 21,120

Attorney for Applicant

JTM/pth
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
October 7, 2003

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
(Use several sheets if necessary)

Date Submitted to PTO: October 7, 2003

ATTY DOCKET NO.
2003-1412SERIAL NO.
NEWAPPLICANT
Jean GOBERTFILING DATE
October 7, 2003

GROUP

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	3,406,174	10/1968	Houlihan	260	268	
	AB	4,525,358	6/1985	Baltes et al.	514	255	
	AC	4,968,676	11/1990	Zipperer et al.	514	183	
	AD	5,087,627	1/1992	Morita et al.	514	396	
	AE	5,627,183	5/1997	Gray	514	255	
	AE	5,698,558	12/1997	Gray	514	255	
	AG						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AH	2 225 321	5/1990	Great Britain			
	AI	0 058 146	8/1982	Europe			
	AJ	523 901	4/1954	Belgium			
	AK	568,380		Canada			
	AL	WO94/06429	3/1994	PCT			
	AM	WO94/06430	3/1994	PCT			
	AN	752 331	7/1956	Great Britain			

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	Kato et al., <u>Chemical Abstracts</u> , Vol. 78, No. 148000 (1973).
	AP	The Merck Index (11th Edition) p. 310, Merck & Co., Inc. Publishers, 1989.
	AQ	
EXAMINER		DATE CONSIDERED